IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 21438 of 2007(B)

PETITIONER:

YAHYA, S/O.MOHAMMED ALI, AGED 40 YEARS,
KALIYAR VATTATH HOUSE, VALIYAKUNNU AMSOM
DESOM, VALANCHERY, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS:

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1. DISTRICT COLLECTOR, MALAPPURAM.

2. TAHSILDAR, TIRUR.

3. SUB INSPECTOR OF POLICE,
VALANCHERRY POLICE STATION.

BY GOVT.PLEADER SRI. I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/07/2007, ALONG WITH WPC NO. 21514 OF 2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) Nos. 21438 & 21514 OF 2007

Dated this the 20th day of July, 2007

J U D G M E N T

In these two writ petitions, the vehicles belonging to the petitioners have been seized on allegation of illegal transport of river sand. The contention of the petitioners is that final orders have not yet been passed by the District Collector and therefore, the petitioners may be given interim custody of the vehicles.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, I dispose of these writ petitions with the following directions:-

The first respondent in both the cases, the District Collector shall pass final orders in the matter, as expeditiously as possible. Pending passing of final orders, the first respondent shall give interim custody of the vehicles to the respective petitioner on the respective petitioner depositing an amount of Rs.25,000/- (Rupees

twenty five thousand only) each and furnishing proof of ownership of the vehicles. This is subject to further condition that the petitioners shall not alienate or otherwise part with possession of the vehicles till final orders are passed in the matter.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007